
Section 1809. Public notice and public hearing required.

This section shall apply to all applications for amendments to (1) the text of the land use protection regulations, (2) amendments to the official zoning district map, (3) petitions for variances and appeals to the board of commissioners, (4) requests for conditional use approval, (5) requests for alteration or of conditional redistricting, (6) request for special use permit approval, and (7) request for alteration or extension of a special use permit.

Upon receipt of a completed application, fees and other information required by this article, the planning director shall cause notice of such application to be published at least one time in a newspaper of general circulation in the community at least 30 days but not more than 45 days prior to the date of the public hearing before the planning commission.

Said published notice shall include, as a minimum, the purpose, location, date and time of the public hearing, before the board of commissioners, the purpose, location, date and time of the public hearing before the planning commission, the location of the property being considered, the present land use classification of the property, and proposed action to be taken, as appropriate, such as proposed land use district, type of conditional use, variance to particular articles and sections, and so forth. The administrative office shall also cause the applicant to have posted in a conspicuous place on said property one or more sign(s), each of which shall contain the information specified for published notices. No public hearing shall take place until said sign(s) have been posted for at least 30 days, but not more than 45 days prior to the date of the public hearing. Additionally, the administrative office will cause a letter to be mailed to each of the adjoining property owners and the applicant with the public notice information. Only owners reflected on the records of the tax assessors' office as of the date of the application shall be entitled to notice.

On any application, a public hearing shall be held by the planning commission who reviews and makes their recommendation. The application along with their recommendation shall be forwarded to the board of commissioners for their review.

Public hearings may be delayed, rescheduled or continued at another time and date, provided announcement is given at the time and place of the initially scheduled and advertised public hearing, and provided such date, time and location of the public hearing to be delayed, rescheduled or continued is given. If the applicant of a petition before the planning commission or fails to attend the public hearing, then the planning commission may require re-advertisement of the subject petition at the expense of the applicant or may proceed on the application in the absence of the applicant or the applicant's legal representative. If the petition has been rescheduled or delayed at the request of or due to the absence of the applicant, the petition may be held for up to two meeting cycles without resubmittal being required. If after two meeting cycles no action has been taken by the applicant, the petition will be considered closed and a new application would need to be submitted in order to be presented to the planning commission.

(Res. No. 2019-09, 6-4-19; Res. No. 2023-01, 1-19-23)